



11-07-05

Zhu AF 1616

Patent  
Attorney Docket No. 033248-017

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of  
Darja Fercej Temeljotov et al.

Group Art Unit: 1616

Application No.: 09/913,752

Examiner: SHARMILA S GOLLAMUDI

Filing Date: November 21, 2001

Confirmation No.: 5309

Title: DIRECTLY COMPRESSIBLE MATRIX FOR CONTROLLED RELEASE OF SINGLE DAILY DOSES OF CLARITHROMYCIN

## NOTICE OF APPEAL

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

All finally rejected claims in the decision of the Primary Examiner dated May 4, 2005 are hereby appealed to the Board of Patent Appeals and Interferences.

- ☐ The appeal fee was previously paid on \_\_\_\_\_. Therefore, no Appeal fee is now required.
- ☒ Enclosed is the Appeal fee of: ☐ \$250.00 (2401) ☒ \$500.00 (1401)
- ☐ Charge \_\_\_\_\_ to Deposit Account No. 02-4800 for the fee due.
- ☐ A check in the amount of \_\_\_\_\_ is enclosed for the fee due.
- ☒ Charge \$ 500.00 to credit card. Form PTO-2038 is attached.
- ☒ A Petition for Extension of Time is enclosed.
- ☐ Small entity status is hereby claimed.

The Director is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

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Respectfully submitted,

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By

  
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Date: November 4, 2005

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

"Express Mail" Mailing Label No.: EV 793 689 037 US Date of Deposit: November 4, 2005

  
Kim A. Cabello

Typed Name: